

United States Senate

WASHINGTON, DC 20510

February 3, 2011

John McCarthy
Director
The Office of Ohio Health Plans
50 West Town Street
Columbus, Ohio 43215

Dear Director McCarthy:

Thank you for your service to Ohio in your new role as Director of the Office of Ohio Health Plans, which serves Ohio's Medicaid population. I am writing to request an update on the state's efforts to establish a Medicaid "lock-in" program to crack down on the fraudulent use of Medicaid cards to obtain Oxycodone and other opioids.

As I'm sure you're aware, prescription drug abuse is a significant and growing problem in Ohio, particularly in the Southern region of the state. In fact, just this week, representatives from the Fairfield-Hocking Major Crimes Unit and the Trumbull-Ashtabula Group (TAG) Law Enforcement Task Force were in my office to talk about how the most recent drug epidemic is affecting our state. In 2010, I held a round table on this matter with community members from Ohio. One leader on this issue, Adams County Judge Brett Spencer, has been especially helpful in bringing to light the severity of this problem. After this discussion I wrote to Governor Strickland about establishing a Medicaid lock-in program, which would enable the Office of Ohio Health Plans to better monitor and control access to prescription drugs that are subject to abuse and trafficking.

The epidemic of prescription drug abuse has hit southern Ohio especially hard. Prescription opioids play a role in more Ohio drug related deaths than any other class of drug, accounting for over 39 percent of total deaths. These drugs have contributed significantly to the 320 percent increase in overdose deaths between 1999 and 2009. This problem is so pervasive that overdoses have surpassed car accidents as the leading cause of injury death in Ohio. As has been widely reported, prescription drugs are the cause of nine of every 10 fatal drug overdoses in Scioto County. In nearly two-thirds of those cases, the individuals involved did not have prescriptions, indicating that they obtained the drugs illegally.

Unfortunately, Medicaid cards are sometimes fraudulently used to obtain Oxycodone and other opioids. These prescription drugs are then illegally sold, fueling drug abuse and drug-related deaths. While Medicaid is certainly not the only unwitting payer of controlled substances that are misused to feed a personal drug addiction or deal drugs to others, it is a pipeline with negative implications for both the public health and the fiscal integrity of the Medicaid program. It is clearly in Ohio's best interest to prevent this fraudulent and dangerous abuse of the Medicaid program.

Medicaid lock-in programs can be effective in this regard by limiting the doctors from which a high risk patient can receive prescriptions, as well as the pharmacies from which the patient can obtain medicines. This enables the kind of close monitoring needed to prevent high risk patients from personally abusing or selling opioids. I am interested in the status of your office's efforts to establish a prescription lock-in program for high risk Medicaid beneficiaries. I look forward to your response, and would also be glad to discuss this critically important matter with you.

Thank you for your leadership and assistance.

Sincerely,

A handwritten signature in blue ink that reads "Sherrod Brown". The signature is written in a cursive, slightly slanted style.

Sherrod Brown
United States Senator